



General Assembly

January Session, 2011

Raised Bill No. 6326

LCO No. 3002

03002_____ED_

Referred to Committee on Education

Introduced by:
(ED)

***AN ACT CONCERNING THE RESPONSE OF SCHOOL DISTRICTS
AND THE DEPARTMENTS OF EDUCATION AND CHILDREN AND
FAMILIES TO REPORTS OF CHILD ABUSE AND NEGLECT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-221d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2011*):

3 (a) Each local and regional board of education shall (1) require each
4 applicant for a position in a public school to state whether such person
5 has ever been convicted of a crime or whether criminal charges are
6 pending against such person at the time of such person's application,
7 (2) require each applicant for a position in a public school to submit to
8 a check of the Department of Children and Families child abuse and
9 neglect registry established pursuant to section 17a-101k, before such
10 applicant may be hired by such board, (3) require, subject to the
11 provisions of subsection (d) of this section, each person hired by the
12 board after July 1, 1994, to submit to state and national criminal history
13 records checks within thirty days from the date of employment and
14 may require, subject to the provisions of subsection (d) of this section,
15 any person hired prior to said date to submit to state and national

16 criminal history records checks, and [(3)] (4) require each worker (A)
17 placed within a school under a public assistance employment
18 program, (B) employed by a provider of supplemental services
19 pursuant to the No Child Left Behind Act, P.L. 107-110, or (C) on and
20 after July 1, 2010, in a nonpaid, noncertified position completing
21 preparation requirements for the issuance of an educator certificate
22 pursuant to chapter 166, who performs a service involving direct
23 student contact to submit to state and national criminal history records
24 checks within thirty days from the date such worker begins to perform
25 such service. The criminal history records checks required by this
26 subsection shall be conducted in accordance with section 29-17a. If the
27 local or regional board of education receives notice of a conviction of a
28 crime which has not previously been disclosed by such person to the
29 board, the board may (i) terminate the contract of a certified employee,
30 in accordance with the provisions of section 10-151, and (ii) dismiss a
31 noncertified employee provided such employee is notified of the
32 reason for such dismissal, is provided the opportunity to file with the
33 board, in writing, any proper answer to such criminal conviction and a
34 copy of the notice of such criminal conviction, the answer and the
35 dismissal order are made a part of the records of the board. In
36 addition, if the local or regional board of education receives notice of a
37 conviction of a crime by a person (I) holding a certificate, authorization
38 or permit issued by the State Board of Education, (II) employed by a
39 provider of supplemental services, or (III) on and after July 1, 2010, in a
40 nonpaid, noncertified position completing preparation requirements
41 for the issuance of an educator certificate pursuant to chapter 166, the
42 local or regional board of education shall send such notice to the State
43 Board of Education. The supervisory agent of a private school may
44 require any applicant for a position in such school or any employee of
45 such school to submit to state and national criminal history records
46 checks in accordance with the procedures described in this subsection.

47 (b) If a local or regional board of education, endowed or
48 incorporated academy approved by the State Board of Education
49 pursuant to section 10-34, or special education facility approved by the

50 State Board of Education pursuant to section 10-76d requests, a
51 regional educational service center shall arrange for the fingerprinting
52 of any person required to submit to state and national criminal history
53 records checks pursuant to this section or for conducting any other
54 method of positive identification required by the State Police Bureau of
55 Identification or the Federal Bureau of Investigation and shall forward
56 such fingerprints or other positive identifying information to the State
57 Police Bureau of Identification which shall conduct criminal history
58 records checks in accordance with section 29-17a. Such regional
59 educational service centers shall provide the results of such checks to
60 such local or regional board of education, endowed or incorporated
61 academy or special education facility. Such regional educational
62 service centers shall provide such results to any other local or regional
63 board of education or regional educational service center upon the
64 request of such person.

65 (c) State and national criminal history records checks for substitute
66 teachers completed within one year prior to the date of employment
67 with a local or regional board of education and submitted to the
68 employing board of education shall meet the requirements of
69 subdivision [(2)] (3) of subsection (a) of this section. A local or regional
70 board of education shall not require substitute teachers to submit to
71 state and national criminal history records checks pursuant to
72 subdivision [(2)] (3) of subsection (a) of this section if they are
73 continuously employed by such local or regional board of education.
74 For purposes of this section, substitute teachers shall be deemed to be
75 continuously employed by a local or regional board of education if
76 they are employed at least one day of each school year by such local or
77 regional board of education.

78 (d) (1) The provisions of this section shall not apply to a person
79 required to submit to a criminal history records check pursuant to the
80 provisions of subsection (d) of section 14-44.

81 (2) The provisions of this section shall not apply to a student

82 employed by the local or regional school district in which the student
83 attends school.

84 (3) The provisions of subsection (a) of this section requiring state
85 and national criminal history records checks shall, at the discretion of a
86 local or regional board of education, apply to a person employed by a
87 local or regional board of education as a teacher for a noncredit adult
88 class or adult education activity, as defined in section 10-67, who is not
89 required to hold a teaching certificate pursuant to section 10-145b for
90 his or her position.

91 (e) The State Board of Education shall submit, periodically, a
92 database of applicants for an initial issuance of certificate,
93 authorization or permit pursuant to sections 10-144o to 10-149,
94 inclusive, to the State Police Bureau of Identification. The State Police
95 Bureau of Identification shall conduct a state criminal history records
96 check against such database and notify the State Board of Education of
97 any such applicant who has a criminal conviction. The State Board of
98 Education shall not issue a certificate, authorization or permit until it
99 receives and evaluates the results of such check and may deny an
100 application in accordance with the provisions of subsection (j) of
101 section 10-145b.

102 (f) The State Board of Education shall submit, periodically, a
103 database of all persons who hold certificates, authorizations or permits
104 to the State Police Bureau of Identification. The State Police Bureau of
105 Identification shall conduct a state criminal history records check
106 against such database and shall notify the State Board of Education of
107 any such person who has a criminal conviction. The State Board of
108 Education may revoke the certificate, authorization or permit of such
109 person in accordance with the provisions of subsection (j) of section 10-
110 145b.

111 (g) The State Board of Education shall require each applicant
112 seeking an initial issuance or renewal of a certificate, authorization or
113 permit pursuant to sections 10-144o to 10-149, inclusive, to submit to a

114 check of the Department of Children and Families child abuse and
 115 neglect registry established pursuant to section 17a-101k. If notification
 116 is received that the applicant is listed as a perpetrator of abuse on the
 117 Department of Children and Families child abuse and neglect registry,
 118 the board shall deny an application for the certificate, authorization or
 119 permit in accordance with the provisions of subsection (j) of section 10-
 120 145b or revoke the certificate, authorization or permit in accordance
 121 with the provisions of said subsection (j).

122 Sec. 2. Subsection (f) of section 17a-28 of the general statutes is
 123 repealed and the following is substituted in lieu thereof (*Effective July*
 124 *1, 2011*):

125 (f) The commissioner or the commissioner's designee shall, upon
 126 request, promptly provide copies of records, without the consent of a
 127 person, to (1) a law enforcement agency, (2) the Chief State's Attorney,
 128 or the Chief State's Attorney's designee, or a state's attorney for the
 129 judicial district in which the child resides or in which the alleged abuse
 130 or neglect occurred, or the state's attorney's designee, for purposes of
 131 investigating or prosecuting an allegation of child abuse or neglect, (3)
 132 the attorney appointed to represent a child in any court in litigation
 133 affecting the best interests of the child, (4) a guardian ad litem
 134 appointed to represent a child in any court in litigation affecting the
 135 best interests of the child, (5) the Department of Public Health, in
 136 connection with: (A) Licensure of any person to care for children for
 137 the purposes of determining the suitability of such person for
 138 licensure, subject to the provisions of sections 17a-101g and 17a-101k,
 139 or (B) an investigation conducted pursuant to section 19a-80f, (6) any
 140 state agency which licenses such person to educate or care for children
 141 pursuant to section 10-145b or 17a-101j, subject to the provisions of
 142 sections 17a-101g and 17a-101k concerning nondisclosure of findings
 143 of responsibility for abuse and neglect, (7) the Governor, when
 144 requested in writing, in the course of the Governor's official functions
 145 or the Legislative Program Review and Investigations Committee, the
 146 joint standing committee of the General Assembly having cognizance

147 of matters relating to the judiciary and the select committee of the
148 General Assembly having cognizance of matters relating to children
149 when requested in the course of said committees' official functions in
150 writing, and upon a majority vote of said committee, provided no
151 names or other identifying information shall be disclosed unless it is
152 essential to the legislative or gubernatorial purpose, (8) a local or
153 regional board of education, provided the records are limited to (A)
154 educational records created or obtained by the state or Connecticut-
155 Unified School District #2, established pursuant to section 17a-37, or
156 (B) inclusion on the Department of Children and Families child abuse
157 and neglect registry established pursuant to section 17a-101k, subject
158 to the provisions of sections 17a-101g and 17a-101k concerning
159 nondisclosure of findings of responsibility for abuse and neglect, (9) a
160 party in a custody proceeding under section 17a-112 or 46b-129, in the
161 Superior Court where such records concern a child who is the subject
162 of the proceeding or the parent of such child, (10) the Chief Child
163 Protection Attorney, or his or her designee, for purposes of ensuring
164 competent representation by the attorneys whom the Chief Child
165 Protection Attorney contracts with to provide legal and guardian ad
166 litem services to the subjects of such records and to ensure accurate
167 payments for services rendered by such contract attorneys, (11) the
168 Department of Motor Vehicles, for purposes of checking the state's
169 child abuse and neglect registry pursuant to subsection (e) of section
170 14-44, and (12) a judge of the Superior Court and all necessary parties
171 in a family violence proceeding when such records concern family
172 violence with respect to the child who is the subject of the proceeding
173 or the parent of such child who is the subject of the proceeding. A
174 disclosure under this section shall be made of any part of a record,
175 whether or not created by the department, provided no confidential
176 record of the Superior Court shall be disclosed other than the petition
177 and any affidavits filed therewith in the superior court for juvenile
178 matters, except upon an order of a judge of the Superior Court for
179 good cause shown. The commissioner shall also disclose the name of
180 any individual who cooperates with an investigation of a report of

181 child abuse or neglect to such law enforcement agency or state's
182 attorney for purposes of investigating or prosecuting an allegation of
183 child abuse or neglect. The commissioner or the commissioner's
184 designee shall, upon request, subject to the provisions of sections 17a-
185 101g and 17a-101k, promptly provide copies of records, without the
186 consent of the person, to (A) the Department of Public Health for the
187 purpose of determining the suitability of a person to care for children
188 in a facility licensed under sections 19a-77 to 19a-80, inclusive, 19a-82
189 to 19a-87, inclusive, and 19a-87b, and (B) the Department of Social
190 Services for determining the suitability of a person for any payment
191 from the department for providing child care.

192 Sec. 3. Section 17a-101 of the general statutes is repealed and the
193 following is substituted in lieu thereof (*Effective July 1, 2011*):

194 (a) The public policy of this state is: To protect children whose
195 health and welfare may be adversely affected through injury and
196 neglect; to strengthen the family and to make the home safe for
197 children by enhancing the parental capacity for good child care; to
198 provide a temporary or permanent nurturing and safe environment for
199 children when necessary; and for these purposes to require the
200 reporting of suspected child abuse or neglect, investigation of such
201 reports by a social agency, and provision of services, where needed, to
202 such child and family.

203 (b) The following persons shall be mandated reporters: Any
204 physician or surgeon licensed under the provisions of chapter 370, any
205 resident physician or intern in any hospital in this state, whether or not
206 so licensed, any registered nurse, licensed practical nurse, medical
207 examiner, dentist, dental hygienist, psychologist, [coach of intramural
208 or interscholastic athletics, school superintendent, school teacher,
209 school principal, school guidance counselor, school paraprofessional,
210 school coach] a school employee, as defined in section 53a-65, social
211 worker, police officer, juvenile or adult probation officer, juvenile or
212 adult parole officer, member of the clergy, pharmacist, physical

213 therapist, optometrist, chiropractor, podiatrist, mental health
214 professional or physician assistant, any person who is a licensed or
215 certified emergency medical services provider, any person who is a
216 licensed or certified alcohol and drug counselor, any person who is a
217 licensed marital and family therapist, any person who is a sexual
218 assault counselor or a battered women's counselor as defined in
219 section 52-146k, any person who is a licensed professional counselor,
220 any person who is a licensed foster parent, any person paid to care for
221 a child in any public or private facility, child day care center, group
222 day care home or family day care home licensed by the state, any
223 employee of the Department of Children and Families, any employee
224 of the Department of Public Health who is responsible for the licensing
225 of child day care centers, group day care homes, family day care
226 homes or youth camps, the Child Advocate and any employee of the
227 Office of the Child Advocate and any family relations counselor,
228 family relations counselor trainee or family services supervisor
229 employed by the Judicial Department.

230 (c) The Commissioner of Children and Families shall develop an
231 educational training program and refresher training program for the
232 accurate and prompt identification and reporting of child abuse and
233 neglect. Such training program and refresher training program shall be
234 made available to all persons mandated to report child abuse and
235 neglect at various times and locations throughout the state as
236 determined by the Commissioner of Children and Families.

237 (d) Any mandated reporter, as defined in subsection (b) of this
238 section, who fails to report to the Commissioner of Children and
239 Families pursuant to section 17a-101a, as amended by this act, shall be
240 required to participate in an educational and training program
241 established by the commissioner. The program may be provided by
242 one or more private organizations approved by the commissioner,
243 provided the entire costs of the program shall be paid from fees
244 charged to the participants, the amount of which shall be subject to the
245 approval of the commissioner.

246 (e) On or before October 1, 2011, the Department of Children and
 247 Families, in consultation with the Department of Education, shall
 248 develop a model mandated reporting policy for use by local and
 249 regional boards of education. Such model policy shall state applicable
 250 state law regarding mandated reporting and any relevant information
 251 that will assist school districts in the performance of mandated
 252 reporting. Such policy shall include, but not be limited to, the
 253 following information: (1) Those persons employed by the local or
 254 regional board of education who are required pursuant to this section
 255 to be mandated reporters, (2) the type of information that is to be
 256 reported, (3) the time frame for both written and verbal mandated
 257 reports, and (4) a statement that retaliation against mandated reporters
 258 is prohibited. Such policy shall be updated and revised as necessary.

259 Sec. 4. Section 17a-101i of the general statutes is repealed and the
 260 following is substituted in lieu thereof (*Effective July 1, 2011*):

261 (a) Notwithstanding any provision of the general statutes, after an
 262 investigation has been completed and the Commissioner of Children
 263 and Families, based upon the results of the investigation, (1) has
 264 reasonable cause to believe that a child has been abused or neglected
 265 by a school employee, as defined in section 53a-65, who has been
 266 entrusted with the care of a child and who holds a certificate, permit or
 267 authorization issued by the State Board of Education, [and the
 268 commissioner] or (2) has recommended that such employee be placed
 269 on the Department of Children and Families child abuse and neglect
 270 registry established pursuant to section 17a-101k, the commissioner
 271 shall, not later than five working days after such finding, notify the
 272 employing superintendent and the Commissioner of Education of such
 273 finding and shall provide records, whether or not created by the
 274 department, concerning such investigation to the superintendent
 275 [who] and the Commissioner of Education. The superintendent shall
 276 suspend such school employee. The [commissioner] Commissioner of
 277 Children and Families shall provide such notice whether or not the
 278 child was a student in the employing school or school district. Such

279 suspension shall be with pay and shall not result in the diminution or
280 termination of benefits to such employee. [Within] Not later than
281 seventy-two hours after such suspension the superintendent shall
282 notify the local or regional board of education and the Commissioner
283 of Education, or the commissioner's representative, of the reasons for
284 and conditions of the suspension. The superintendent shall disclose
285 such records to the Commissioner of Education and the local or
286 regional board of education or its attorney for purposes of review of
287 employment status or the status of such employee's certificate, permit
288 or authorization. The suspension of a school employee employed in a
289 position requiring a certificate shall remain in effect until the board of
290 education acts pursuant to the provisions of section 10-151. If the
291 contract of employment of such certified school employee is
292 terminated, or such certified school employee resigns such
293 employment, the superintendent shall notify the Commissioner of
294 Education, or the commissioner's representative, within seventy-two
295 hours after such termination. Upon receipt of such notice from the
296 [superintendent] Commissioner of Children and Families, the
297 Commissioner of Education may commence certification revocation
298 proceedings pursuant to the provisions of subsection (j) of section 10-
299 145b. Notwithstanding the provisions of sections 1-210 and 1-211,
300 information received by the Commissioner of Education, or the
301 commissioner's representative, pursuant to this section shall be
302 confidential subject to regulations adopted by the State Board of
303 Education under section 10-145g.

304 (b) After an investigation has been completed and the
305 Commissioner of Children and Families, based upon the results of the
306 investigation, has reasonable cause to believe that a child has been
307 abused by a staff member of a public or private institution or facility
308 providing care for children or private school, the commissioner shall
309 notify the executive director of such institution, school or facility and
310 shall provide records, whether or not created by the department
311 concerning such investigation to such executive director. Such
312 institution, school or facility may suspend such staff person. Such

313 suspension shall be with pay and shall not result in diminution or
314 termination of benefits to such employee. Such suspension shall
315 remain in effect until the incident of abuse has been satisfactorily
316 resolved by the employer of the staff person. If such staff member has
317 a professional license or certificate issued by the state or a permit or
318 authorization issued by the State Board of Education, the
319 commissioner shall forthwith notify the state agency responsible for
320 issuing such license, certificate, permit or authorization to the staff
321 member and provide records, whether or not created by the
322 department, concerning such investigation.

323 (c) If a school employee, as defined in section 53a-65, or any person
324 holding a certificate, permit or authorization issued by the State Board
325 of Education under the provisions of sections 10-144a to 10-149,
326 inclusive, is convicted of a crime involving an act of child abuse or
327 neglect as described in section 46b-120 or a violation of section 53-21,
328 53a-71 or 53a-73a, the state's attorney for the judicial district in which
329 the conviction occurred shall in writing notify the superintendent of
330 the school district or the supervisory agent of the nonpublic school in
331 which the person is employed and the Commissioner of Education of
332 such conviction.

333 (d) For the purposes of receiving and making reports, notifying and
334 receiving notification, or investigating, pursuant to the provisions of
335 sections 17a-101a to 17a-101h, inclusive, as amended by this act, and
336 17a-103, a superintendent of a school district or a supervisory agent of
337 a nonpublic school may assign a designee to act on such
338 superintendent's or agent's behalf.

339 (e) On or before February 1, [1997] 2012, each local and regional
340 board of education shall adopt a written policy, in accordance with the
341 provisions of subsection (e) of section 17a-101, as amended by this act,
342 regarding the reporting by school employees, as defined in section 53a-
343 65, of suspected child abuse in accordance with sections 17a-101a to
344 17a-101d, inclusive, as amended by this act, and 17a-103. Such policy

345 shall be distributed annually to all school employees employed by the
346 local or regional board of education. The local or regional board of
347 education shall document that all such school employees have
348 received such written policy and completed the training and refresher
349 training programs required by subsection (c) of section 17a-101, as
350 amended by this act.

351 (f) (1) On and after July 1, 2011, all school employees, as defined in
352 section 53a-65, hired by a local or regional board of education on or
353 after said date shall be required to complete the training program
354 developed pursuant to subsection (c) of section 17a-101, as amended
355 by this act. All such school employees shall complete the refresher
356 training program, developed pursuant to subsection (c) of section 17a-
357 101, as amended by this act, not later than three years after completion
358 of the initial training program, and shall thereafter retake such
359 refresher training course at least once every three years.

360 (2) On or before July 1, 2012, all school employees, as defined in
361 section 53a-65, hired by a local or regional board of education before
362 July 1, 2011, shall complete the refresher training program developed
363 pursuant to subsection (c) of section 17a-101, as amended by this act,
364 and shall thereafter retake such refresher training course at least once
365 every three years.

366 Sec. 5. Subsection (a) of section 10-220a of the general statutes is
367 repealed and the following is substituted in lieu thereof (*Effective July*
368 *1, 2011*):

369 (a) Each local or regional board of education shall provide an in-
370 service training program for its teachers, administrators and pupil
371 personnel who hold the initial educator, provisional educator or
372 professional educator certificate. Such program shall provide such
373 teachers, administrators and pupil personnel with information on (1)
374 the nature and the relationship of drugs, as defined in subdivision (17)
375 of section 21a-240, and alcohol to health and personality development,
376 and procedures for discouraging their abuse, (2) health and mental

377 health risk reduction education which includes, but need not be
378 limited to, the prevention of risk-taking behavior by children and the
379 relationship of such behavior to substance abuse, pregnancy, sexually
380 transmitted diseases, including HIV-infection and AIDS, as defined in
381 section 19a-581, violence, teen dating violence, domestic violence, child
382 abuse and youth suicide, (3) the growth and development of
383 exceptional children, including handicapped and gifted and talented
384 children and children who may require special education, including,
385 but not limited to, children with attention-deficit hyperactivity
386 disorder or learning disabilities, and methods for identifying, planning
387 for and working effectively with special needs children in a regular
388 classroom, (4) school violence prevention, conflict resolution and
389 prevention of bullying, as defined in subsection (a) of section 10-222d,
390 except that those boards of education that implement an evidence-
391 based model approach, consistent with subsection (d) of section 10-
392 145a, subsection (a) of section 10-220a, as amended by this act, sections
393 10-222d, 10-222g and 10-222h, subsection (g) of section 10-233c and
394 sections 1 and 3 of public act 08-160, shall not be required to provide
395 in-service training on prevention of bullying, (5) cardiopulmonary
396 resuscitation and other emergency life saving procedures, (6) computer
397 and other information technology as applied to student learning and
398 classroom instruction, communications and data management, (7) the
399 teaching of the language arts, reading and reading readiness for
400 teachers in grades kindergarten to three, inclusive, [and] (8) second
401 language acquisition in districts required to provide a program of
402 bilingual education pursuant to section 10-17f, and (9) the
403 requirements and obligations of a mandated reporter. Each local and
404 regional board of education may allow any paraprofessional or
405 noncertified employee to participate, on a voluntary basis, in any in-
406 service training program provided pursuant to this section. The State
407 Board of Education, within available appropriations and utilizing
408 available materials, shall assist and encourage local and regional
409 boards of education to include: (A) Holocaust education and
410 awareness; (B) the historical events surrounding the Great Famine in

411 Ireland; (C) African-American history; (D) Puerto Rican history; (E)
412 Native American history; (F) personal financial management; (G)
413 domestic violence and teen dating violence; and (H) topics approved
414 by the state board upon the request of local or regional boards of
415 education as part of in-service training programs pursuant to this
416 subsection.

417 Sec. 6. Section 10-220 of the general statutes is repealed and the
418 following is substituted in lieu thereof (*Effective July 1, 2011*):

419 (a) Each local or regional board of education shall maintain good
420 public elementary and secondary schools, implement the educational
421 interests of the state as defined in section 10-4a and provide such other
422 educational activities as in its judgment will best serve the interests of
423 the school district; provided any board of education may secure such
424 opportunities in another school district in accordance with provisions
425 of the general statutes and shall give all the children of the school
426 district as nearly equal advantages as may be practicable; shall provide
427 an appropriate learning environment for its students which includes
428 (1) adequate instructional books, supplies, materials, equipment,
429 staffing, facilities and technology, (2) equitable allocation of resources
430 among its schools, (3) proper maintenance of facilities, and (4) a safe
431 school setting; shall maintain records of allegations, investigations and
432 reports that a child has been abused by a school employee employed
433 by the local or regional board of education, as defined in section 53a-
434 65, in accordance with the provisions of subsection (f) of this section;
435 shall have charge of the schools of its respective school district; shall
436 make a continuing study of the need for school facilities and of a long-
437 term school building program and from time to time make
438 recommendations based on such study to the town; shall adopt and
439 implement an indoor air quality program that provides for ongoing
440 maintenance and facility reviews necessary for the maintenance and
441 improvement of the indoor air quality of its facilities; shall adopt and
442 implement a green cleaning program, pursuant to section 10-231g, that
443 provides for the procurement and use of environmentally preferable

444 cleaning products in school buildings and facilities; shall report
445 biennially to the Commissioner of Education on the condition of its
446 facilities and the action taken to implement its long-term school
447 building program, indoor air quality program and green cleaning
448 program, which report the Commissioner of Education shall use to
449 prepare a biennial report that said commissioner shall submit in
450 accordance with section 11-4a to the joint standing committee of the
451 General Assembly having cognizance of matters relating to education;
452 shall advise the Commissioner of Education of the relationship
453 between any individual school building project pursuant to chapter
454 173 and such long-term school building program; shall have the care,
455 maintenance and operation of buildings, lands, apparatus and other
456 property used for school purposes and at all times shall insure all such
457 buildings and all capital equipment contained therein against loss in
458 an amount not less than eighty per cent of replacement cost; shall
459 determine the number, age and qualifications of the pupils to be
460 admitted into each school; shall develop and implement a written plan
461 for minority staff recruitment for purposes of subdivision (3) of section
462 10-4a; shall employ and dismiss the teachers of the schools of such
463 district subject to the provisions of sections 10-151 and 10-158a; shall
464 designate the schools which shall be attended by the various children
465 within the school district; shall make such provisions as will enable
466 each child of school age residing in the district to attend some public
467 day school for the period required by law and provide for the
468 transportation of children wherever transportation is reasonable and
469 desirable, and for such purpose may make contracts covering periods
470 of not more than five years; may place in an alternative school
471 program or other suitable educational program a pupil enrolling in
472 school who is nineteen years of age or older and cannot acquire a
473 sufficient number of credits for graduation by age twenty-one; may
474 arrange with the board of education of an adjacent town for the
475 instruction therein of such children as can attend school in such
476 adjacent town more conveniently; shall cause each child five years of
477 age and over and under eighteen years of age who is not a high school

478 graduate and is living in the school district to attend school in
479 accordance with the provisions of section 10-184, and shall perform all
480 acts required of it by the town or necessary to carry into effect the
481 powers and duties imposed by law.

482 (b) The board of education of each local or regional school district
483 shall, with the participation of parents, students, school administrators,
484 teachers, citizens, local elected officials and any other individuals or
485 groups such board shall deem appropriate, prepare a statement of
486 educational goals for such local or regional school district. The
487 statement of goals shall be consistent with state-wide goals pursuant to
488 subsection (c) of section 10-4. Each local or regional board of education
489 shall develop student objectives which relate directly to the statement
490 of educational goals prepared pursuant to this subsection and which
491 identify specific expectations for students in terms of skills, knowledge
492 and competence.

493 (c) Annually, each local and regional board of education shall
494 submit to the Commissioner of Education a strategic school profile
495 report for each school under its jurisdiction and for the school district
496 as a whole. The superintendent of each local and regional school
497 district shall present the profile report at the next regularly scheduled
498 public meeting of the board of education after each November first.
499 The profile report shall provide information on measures of (1) student
500 needs, (2) school resources, including technological resources and
501 utilization of such resources and infrastructure, (3) student and school
502 performance, including truancy, (4) the number of students enrolled in
503 an adult high school credit diploma program, pursuant to section 10-
504 69, operated by a local or regional board of education or a regional
505 educational service center, (5) equitable allocation of resources among
506 its schools, (6) reduction of racial, ethnic and economic isolation, and
507 (7) special education. For purposes of this subsection, measures of
508 special education include (A) special education identification rates by
509 disability, (B) rates at which special education students are exempted
510 from mastery testing pursuant to section 10-14q, (C) expenditures for

511 special education, including such expenditures as a percentage of total
512 expenditures, (D) achievement data for special education students, (E)
513 rates at which students identified as requiring special education are no
514 longer identified as requiring special education, (F) the availability of
515 supplemental educational services for students lacking basic
516 educational skills, (G) the amount of special education student
517 instructional time with nondisabled peers, (H) the number of students
518 placed out-of-district, and (I) the actions taken by the school district to
519 improve special education programs, as indicated by analyses of the
520 local data provided in subparagraphs (A) to (H), inclusive, of this
521 subdivision. The superintendent shall include in the narrative portion
522 of the report information about parental involvement and if the district
523 has taken measures to improve parental involvement, including, but
524 not limited to, employment of methods to engage parents in the
525 planning and improvement of school programs and methods to
526 increase support to parents working at home with their children on
527 learning activities. For purposes of this subsection, measures of
528 truancy include the type of data that is required to be collected by the
529 Department of Education regarding attendance and unexcused
530 absences in order for the department to comply with federal reporting
531 requirements. Such truancy data shall be considered a public record
532 for purposes of chapter 14.

533 (d) Prior to January 1, 2008, and every five years thereafter, for
534 every school building that is or has been constructed, extended,
535 renovated or replaced on or after January 1, 2003, a local or regional
536 board of education shall provide for a uniform inspection and
537 evaluation program of the indoor air quality within such buildings,
538 such as the Environmental Protection Agency's Indoor Air Quality
539 Tools for Schools Program. The inspection and evaluation program
540 shall include, but not be limited to, a review, inspection or evaluation
541 of the following: (1) The heating, ventilation and air conditioning
542 systems; (2) radon levels in the air; (3) potential for exposure to
543 microbiological airborne particles, including, but not limited to, fungi,
544 mold and bacteria; (4) chemical compounds of concern to indoor air

545 quality including, but not limited to, volatile organic compounds; (5)
 546 the degree of pest infestation, including, but not limited to, insects and
 547 rodents; (6) the degree of pesticide usage; (7) the presence of and the
 548 plans for removal of any hazardous substances that are contained on
 549 the list prepared pursuant to Section 302 of the federal Emergency
 550 Planning and Community Right-to-Know Act, 42 USC 9601 et seq.; (8)
 551 ventilation systems; (9) plumbing, including water distribution
 552 systems, drainage systems and fixtures; (10) moisture incursion; (11)
 553 the overall cleanliness of the facilities; (12) building structural
 554 elements, including, but not limited to, roofing, basements or slabs;
 555 (13) the use of space, particularly areas that were designed to be
 556 unoccupied; and (14) the provision of indoor air quality maintenance
 557 training for building staff. Local and regional boards of education
 558 conducting evaluations pursuant to this subsection shall make
 559 available for public inspection the results of the inspection and
 560 evaluation at a regularly scheduled board of education meeting and on
 561 the board's or each individual school's web site.

562 (e) Each local and regional board of education shall establish a
 563 school district curriculum committee. The committee shall
 564 recommend, develop, review and approve all curriculum for the local
 565 or regional school district.

566 (f) Each local and regional board of education shall maintain in a
 567 central location all records of allegations, investigations and reports
 568 that a child has been abused by a school employee employed by the
 569 local or regional board of education, as defined in section 53a-65,
 570 conducted pursuant to sections 17a-101a to 17a-101d, inclusive, as
 571 amended by this act, and section 17a-103. Such records shall include
 572 any reports made to the Department of Children and Families. The
 573 Department of Education shall have access to such records.

574 Sec. 7. (NEW) (*Effective July 1, 2011*) (a) If the Commissioner of
 575 Children and Families suspects or knows that a mandated reporter, as
 576 defined in section 17a-101 of the general statutes, as amended by this

577 act, employed by a local or regional board of education, has failed to
578 make a report that a child has been abused or neglected or placed in
579 immediate risk of serious harm within the time period prescribed in
580 sections 17a-101a to 17a-101d, inclusive, of the general statutes, as
581 amended by this act, and section 17a-103 of the general statutes, the
582 commissioner shall make a record of such delay and develop and
583 maintain a database of such records. The commissioner shall
584 investigate such delayed reporting. Such investigation shall be
585 conducted in accordance with the policy developed in subsection (b) of
586 this section, and include the actions taken by the employing local or
587 regional board of education or superintendent of schools for the
588 district in response to such employee's failure to report.

589 (b) The Department of Children and Families shall develop a policy
590 for the investigation of delayed reports by mandated reporters. Such
591 policy shall include, but not be limited to, when referrals to the
592 appropriate law enforcement agency for delayed reporting are
593 required and when the department shall require mandated reporters
594 who have been found to have delayed making a report to participate in
595 the educational and training program pursuant to subsection (d) of
596 section 17a-101 of the general statutes, as amended by this act.

597 Sec. 8. Section 17a-101a of the general statutes is repealed and the
598 following is substituted in lieu thereof (*Effective July 1, 2011*):

599 Any mandated reporter, as defined in section 17a-101, as amended
600 by this act, who in the ordinary course of such person's employment or
601 profession has reasonable cause to suspect or believe that any child
602 under the age of eighteen years (1) has been abused or neglected, as
603 defined in section 46b-120, (2) has had nonaccidental physical injury,
604 or injury which is at variance with the history given of such injury,
605 inflicted upon such child, or (3) is placed at imminent risk of serious
606 harm, shall report or cause a report to be made in accordance with the
607 provisions of sections 17a-101b to 17a-101d, inclusive, as amended by
608 this act. Any person required to report under the provisions of this

609 section who fails to make such report or fails to make such report
610 within the time period prescribed in sections 17a-101b to 17a-101d,
611 inclusive, as amended by this act, and section 17a-103 shall be fined
612 not less than five hundred dollars nor more than two thousand five
613 hundred dollars and shall be required to participate in an educational
614 and training program pursuant to subsection (d) of section 17a-101, as
615 amended by this act.

616 Sec. 9. Section 17a-101c of the general statutes is repealed and the
617 following is substituted in lieu thereof (*Effective July 1, 2011*):

618 [Within] Not later than forty-eight hours [of] after making an oral
619 report, a mandated reporter shall submit a written report to the
620 Commissioner of Children and Families or [his] the commissioner's
621 representative. When a mandated reporter is a member of the staff of a
622 public or private institution or facility that provides care for such child
623 or public or private school [he] the reporter shall also submit a copy of
624 the written report to the person in charge of such institution, school or
625 facility or the person's designee. In the case of a report concerning a
626 school employee holding a certificate, authorization or permit issued
627 by the State Board of Education under the provisions of sections 10-
628 144o to 10-146b, inclusive, and 10-149, a copy of the written report
629 shall also be sent by the [person in charge of such institution, school or
630 facility] Commissioner of Children and Families or his representative
631 to the Commissioner of Education or [his] the commissioner's
632 representative. In the case of an employee of a facility or institution
633 that provides care for a child which is licensed by the state, a copy of
634 the written report shall also be sent by the mandated reporter to the
635 executive head of the state licensing agency.

636 Sec. 10. (NEW) (*Effective July 1, 2011*) When the Commissioner of
637 Children and Families receives a report from a person not designated
638 as a mandated reporter pursuant to section 17a-101 of the general
639 statutes, as amended by this act, that such person has reasonable cause
640 to suspect or believe that any child under the age of eighteen years (1)

641 has been abused or neglected, as defined in section 46b-120 of the
642 general statutes, (2) has had nonaccidental physical injury, or injury
643 which is at variance with the history given of such injury, inflicted
644 upon such child, or (3) is placed at imminent risk of serious harm by a
645 school employee, as defined in section 53a-65 of the general statutes,
646 holding a certificate, authorization or permit issued by the State Board
647 of Education under the provisions of sections 10-144o to 10-146b,
648 inclusive, of the general statutes and section 10-149 of the general
649 statutes, a copy of such report shall be sent by the Commissioner of
650 Children and Families to the Commissioner of Education.

651 Sec. 11. Subsection (d) of section 17a-101b of the general statutes is
652 repealed and the following is substituted in lieu thereof (*Effective July*
653 *1, 2011*):

654 (d) Whenever a mandated reporter, as defined in section 17a-101, as
655 amended by this act, has reasonable cause to suspect or believe that
656 any child has been abused or neglected by a member of the staff of a
657 public or private institution or facility that provides care for such child
658 or a public or private school, the mandated reporter shall report as
659 required in subsection (a) of this section. The Commissioner of
660 Children and Families or the commissioner's designee shall notify the
661 person in charge of such institution, facility, or the person's designee,
662 or the principal of the school, or the [person's] principal's designee,
663 unless such person is the alleged perpetrator of the abuse or neglect of
664 such child. Such person in charge, or such person's designee, or such
665 principal, or such principal's designee, shall then immediately notify
666 the child's parent or other person responsible for the child's care that a
667 report has been made.

668 Sec. 12. (NEW) (*Effective July 1, 2011*) A local or regional board of
669 education shall provide the Commissioner of Children and Families
670 upon request and for the purposes of an investigation by the
671 commissioner of suspected child abuse or neglect by a teacher
672 employed by such board of education, any records maintained or kept

673 on file by such board of education. Such records shall include, but not
674 be limited to, supervisory records, reports of competence, personal
675 character and efficiency maintained in such teacher's personnel file
676 with reference to evaluation of performance as a professional
677 employee of such board of education, and records of the personal
678 misconduct of such teacher. For purposes of this section, "teacher"
679 includes each certified professional employee below the rank of
680 superintendent employed by a board of education in a position
681 requiring a certificate issued by the State Board of Education.

682 Sec. 13. (NEW) (*Effective July 1, 2011*) A local or regional board of
683 education shall permit and give priority to any investigation
684 conducted by the Commissioner of Children and Families or the
685 appropriate local law enforcement agency that a child has been abused
686 or neglected pursuant to sections 17a-101a to 17a-101d, inclusive, of the
687 general statutes, as amended by this act, and section 17a-103 of the
688 general statutes. Such board of education shall conduct its own such
689 investigation and take any disciplinary action, in accordance with the
690 provisions of section 17a-101i of the general statutes, as amended by
691 this act, upon notice from the commissioner or the appropriate local
692 law enforcement agency that such board's investigation will not
693 interfere with the investigation of the commissioner or such local law
694 enforcement agency.

695 Sec. 14. (NEW) (*Effective July 1, 2011*) (a) The Department of
696 Children and Families shall conduct, at least annually, random quality
697 assurance reviews of reports and investigations that a child has been
698 abused or neglected by a school employee, as defined in section 53a-65
699 of the general statutes. If, as a result of such review, the department
700 discovers any issues in any report or investigation, the department
701 shall take any necessary action to correct or satisfy such problem or
702 issue. The department shall use such reviews to assess the quality and
703 conduct of such investigations.

704 (b) The Department of Children and Families shall review, at least

705 annually, with the Department of Education all records and
706 information relating to reports and investigations that a child has been
707 abused and neglected by a school employee, as defined in section 53a-
708 65 of the general statutes, in possession by the departments to ensure
709 that information is being shared properly. The departments shall
710 address and correct any omissions or other problems in the records
711 and information-sharing process of the departments.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	10-221d
Sec. 2	<i>July 1, 2011</i>	17a-28(f)
Sec. 3	<i>July 1, 2011</i>	17a-101
Sec. 4	<i>July 1, 2011</i>	17a-101i
Sec. 5	<i>July 1, 2011</i>	10-220a(a)
Sec. 6	<i>July 1, 2011</i>	10-220
Sec. 7	<i>July 1, 2011</i>	New section
Sec. 8	<i>July 1, 2011</i>	17a-101a
Sec. 9	<i>July 1, 2011</i>	17a-101c
Sec. 10	<i>July 1, 2011</i>	New section
Sec. 11	<i>July 1, 2011</i>	17a-101b(d)
Sec. 12	<i>July 1, 2011</i>	New section
Sec. 13	<i>July 1, 2011</i>	New section
Sec. 14	<i>July 1, 2011</i>	New section

Statement of Purpose:

To improve the sharing of information relating to reports of child abuse and neglect by school employees between the Departments of Children and Families and Education and school districts.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]